

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MGM GRAND HOTEL, LLC,  
 Plaintiff(s),

vs.

KYUNG SHIN, et al.,  
 Defendant(s).

Case No. 2:16-cv-02347-JAD-NJK

ORDER

(Docket No. 43)

Pending before the Court is Plaintiff's second renewed motion for the issuance of a letter of request seeking discovery from Michael Velasco in Canada. Docket No. 43. The motion was served on Mr. Velasco, Docket No. 47, but he has not responded to it. Accordingly, Mr. Velasco has consented to the granting of the motion. *See* Local Rule 7-2(d).

Moreover, the Court has reviewed the motion and finds it meritorious. Federal courts are authorized to issue a letter of request to obtain discovery in a foreign country when such discovery falls within the scope of Rule 26 of the Federal Rules of Civil Procedure, when comity considerations militate in favor of issuance of such letter, and when the party from whom discovery is sought has not shown good reason to deny the motion. *See, e.g., Viasat, Inc. v. Space Systems/Loral, Inc.*, 2013 WL 12061801, at \*2-4 (S.D. Cal. Jan. 14, 2013).<sup>1</sup> The Court concludes that the discovery sought, both in the form of document production and a deposition, is discoverable under Rule 26. The Court also concludes that

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<sup>1</sup> A "letter of request" is synonymous with a "letter rogatory." *Id.* at \*2 n.1.

1 the considerations of comity militate in favor of issuance of the letter of request. Lastly, the Court does  
2 not have good reason to deny the request.

3 For the reasons outlined above, Plaintiff's second renewed motion for the issuance of a letter of  
4 request seeking discovery from Michael Velasco in Canada is hereby **GRANTED**. Concurrently  
5 herewith, the Court will sign and issue the letter of request submitted by Plaintiff.

6 IT IS SO ORDERED.

7 DATED: March 8, 2017

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9 NANCY J. KOPPE  
United States Magistrate Judge